

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 10 2023

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

KENTRELL D. WELCH,

No. 22-15342

Plaintiff-Appellant,

D.C. No. 3:20-cv-00113-RCJ-CSD

v.

MEMORANDUM\*

NEVADA, STATE OF; JUVENILE  
FOSTER HOME PLACEMENT; CHILD  
PROTECTION SERVICES; CLARK  
COUNTY MUNICIPALITY DISTRICT;  
TICK SEGERBLOOM; MARIYLYN  
KIRKPARTICK,

Defendants-Appellees.

Appeal from the United States District Court  
for the District of Nevada  
Robert Clive Jones, District Judge, Presiding

Submitted June 26, 2023\*\*

Before: CANBY, S.R. THOMAS, and CHRISTEN, Circuit Judges.

Kentrell D. Welch appeals pro se from the district court's judgment  
dismissing his 42 U.S.C. § 1983 action alleging that he was abused while in foster

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\* This disposition is not appropriate for publication and is not precedent  
except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision  
without oral argument. See Fed. R. App. P. 34(a)(2).

care. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a dismissal for failure to state a claim under 28 U.S.C. § 1915A. *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000). We affirm.

The district court properly dismissed Welch’s action because Welch failed to allege facts sufficient to state a plausible claim. *See Ashcroft v. Iqbal*, 556 U.S. 662, 678, 681 (2009) (a claim has facial plausibility when the plaintiff pleads factual content allowing a reasonable inference that a defendant is liable for the misconduct alleged; conclusory allegations are not entitled to the presumption of truth); *see also West v. Atkins*, 487 U.S. 42, 48 (1988) (“To state a claim under § 1983, a plaintiff must . . . show that the alleged deprivation was committed by a person acting under color of state law.”); *Castro v. County of Los Angeles*, 833 F.3d 1060, 1073-76 (9th Cir. 2016) (en banc) (discussing requirements to establish municipal liability under *Monell v. Department of Social Services*, 436 U.S. 658 (1978)).

All pending motions are denied.

**AFFIRMED.**